

REMARKS

Claims 1-8 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully traverse this rejection.

Applicants have amended the claims to more clearly define the subject matter described therein. Applicants respectfully submit that the claims, as amended, are clear for the purposes of 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this §112 rejection is respectfully requested.

Claims 1-8 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent No. 3,442,315 to Mirtain in view of “the admitted state of the prior art.” Applicants respectfully traverse this rejection.

Applicants respectfully submit that the cited reference does not disclose or suggest all of the features of amended independent Claim 1, even when combined with “the admitted state of the prior art” of paragraph [0002] of Applicants’ Specification as originally filed. More specifically, Applicants respectfully submit that the cited “references” fail to disclose or suggest a method of manufacturing a radial tire for a construction vehicle that includes, *inter alia*, a step of “inserting a pair of bead cores on the outer peripheral side of the carcass layer such that one of said bead cores is spaced, in a widthwise direction, axially outside of each widthwise end portion of the shape-retaining layer” (emphasis added), as now defined in amended independent Claim 1. In other words, Claim 1 recites a step of inserting the bead cores so that they are spaced, in the widthwise direction, from the shape retaining

layer. As mentioned in the Specification, as originally filed, on page 18 (lines 4-8), if the width of the shape retaining layer is greater than the distance between the bead cores, the bead cores' power to retain the carcass layer could be reduced, in certain embodiments, which could lead to a failure of the bead portion.

In contrast to the configuration described above, as can be seen from a review of Figures 1 and 3 of the Mirtain reference, layers 19, 20 and 21 (each of which the Examiner equated with the claimed shape retaining layer), each extend past the bead cores. Accordingly, it follows that during the manufacturing process of any of the tires of the Mirtain reference, there would not be a step in which each of the two bead cores are spaced, in the widthwise direction, axially outside of each widthwise end portion of layer 19, layer 20 or layer 21. Instead, during the manufacture of any of the tires of the Mirtain reference, the bead cores would overlap layer 19, layer 20 or layer 21, without being spaced therefrom. Accordingly, at least one feature of amended independent Claim 1 is not disclosed or suggested in the Mirtain reference.

Further, Applicants respectfully submit that the feature of spacing the bead cores from widthwise end portions of a shape retaining layer is not disclosed or suggested in "the admitted state of the prior art" of paragraph [0002] of Applicants' Specification as originally filed because the use of a "shape retaining layer" is not mentioned in this portion of Applicants' Specification.

Accordingly, as all of the features defined in amended independent Claim 1 have not been disclosed or suggested in the cited "references," Applicants respectfully

request the withdrawal of this §103 rejection of independent Claim 1 and associated dependent Claims 2-8.

Finally, Applicants have also added new Claims 9-16. New Claim 9 is a dependent claim that refers back to Claim 1 and defines that the manufacturing method is performed without the use of a shape retaining auxiliary apparatus. New Claim 10 is an independent claim that includes this same feature, and also defines additional manufacturing steps. New Claims 11-16 are dependent claims that define similar subject matter to that defined in Claims 2-7, except that Claims 11-16 refer back to new independent Claim 10. Applicants respectfully submit that new Claims 9-16 are also allowable over the art of record.

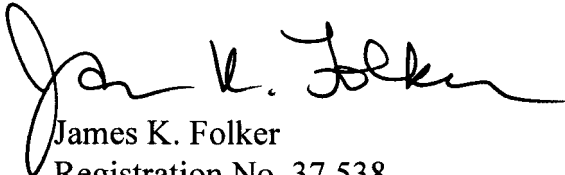
For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned attorney.

If a Petition under 37 C.F.R. §1.136(a) for an extension of time for response is required to make the attached response timely, it is hereby petitioned under 37 C.F.R. §1.136(a) for an extension of time for response in the above-identified application for the period required to make the attached response timely.

The Commissioner is hereby authorized to charge fees which may be required to this application under 37 C.F.R. §§1.16-1.17, or credit any overpayment, to Deposit Account No. 07-2069.

Respectfully submitted,

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